

MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, May 2, 2011
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante, B. Pociask, B. Ryan
Alternates present: K. Rawn
Alternates absent: F. Loxsom, V. Ward
Staff Present: Gregory J. Padick, Director of Planning, Curt Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 8:22 p.m.

Minutes:

04-19-11- Hall MOVED, Holt seconded, to approve the 4/19/11 minutes as written. MOTION PASSED with all in favor except Goodwin and Plante who disqualified themselves.

Public Hearing:

4-Lot Subdivision Application, (3 New Lots) Wormwood Hill & Gurleyville Roads, S. Plimpton o/a, PZC File #1298

Chairman Favretti opened the Public Hearing at 8:24 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Pociask, Ryan and alternate Rawn. Padick read the legal notice as it appeared in the Chronicle on April 19 and April 27, 2011, and noted the following communications received and distributed to the Commission: a 3/31/11 Report from the Director of Planning; a 3/30/11 report from the Assistant Town Engineer; a 3/30/11 report from the Fire Marshal; 3/24/11 report from EHHD; 3/30/11 comments from the Conservation Commission; and 3/15/11 comments from the Open Space Preservation Committee. In addition to the above-listed communications, a 3/28/11 email with attachments was received from Cliff and Karen Gottmann. It was agreed that testimony from the related Inland Wetlands Public Hearing be entered into the public record of the Planning and Zoning Commission Public Hearing.

Douglas Bonoff, Land Surveyor; Paul Biscutti, Engineer; and Kim Bradley, Ecologist, were present representing the applicant.

Favretti questioned Bonoff about the stone walls on Lots 2 and 3. Bonoff responded that they are not significant walls and the stones will be used to enhance the walls elsewhere on the site.

Cliff Gottman, 580 Gurleyville Road, expressed concern for the runoff washing out his driveway and that no new drainage pipe is planned for Gurleyville Road.

Allison Hilding, expressed concern for traffic safety, erosion along the edge of the driveway and roadway, and potential freezing water on Wormwood Hill Road because of it.

Pociask expressed concern about the steep (12%) grade of the driveway on Lot 4 and for related potential problems: water over-shooting the drainage basin, icing, and gutter line erosion along its length. He asked if a gutter-flow analysis had been done, and the applicant's response was that it would be done if the Commission needed it.

Bonoff related that Mr. Plimpton will be willing to give an extension if the Public Hearing is continued past June 6th.

Hall MOVED, Plante seconded, to continue the Public Hearing until June 6th. MOTION PASSED UNANIMOUSLY at 8:48 p.m.

Zoning Agent's Report: The Zoning Agent's monthly activity report and enforcement updates were noted.

- **Wildwood Road Noise Issue**

Hirsch noted that he spoke to Mrs. Williams and she has agreed to discuss this further upon her return from Europe.

- **Four Corners Clothing Drop Off Containers**

Hirsch contacted the property owner. She has asked the owners of the boxes to promptly remove them.

- **Proposed Shed at 14 Adeline Place**

Holt MOVED, Hall seconded, that the PZC authorize the placement of a 8 by 12-foot storage shed at 14 Adeline Place as described in 4/14/11 letter from D. & J. Higham and depicted on the submitted 4/14/11 plan, as provided for under Article VIII, section B.1.d of the regulations.

MOTION PASSED UNANIMOUSLY.

Old Business:

1. **3-Lot Subdivision Application, (2 New Lots) 64 Puddin Lane, R. Hellstrom-applicant/Sterling Trust Company, owner, PZC File #1299**

Goodwin disqualified herself, Rawn was appointed to act for her. Hall MOVED, Holt seconded, to approve with conditions the three lot (2 new lots) subdivision owned by Sterling Trust Company, located on Puddin Lane in an R-20 zone, as submitted to the Commission and shown on plans dated 2/14/11 and as described in other application submissions. This approval is granted because the application as hereby approved is considered to be in compliance with the Mansfield Zoning and Subdivision Regulations.

Approval is granted with the following modifications or conditions:

1. Final plans shall be signed and sealed by the responsible surveyor and engineer.
2. Pursuant to subdivision regulations, particularly Sections 7.5 and 7.6, this action specifically approves the depicted Building Area and Development Area Envelopes. Unless the Commission specifically authorizes revisions, the approved envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be specifically noticed on the Land Records and the deeds for the subject lots.
3. No Zoning Permit shall be issued on Lot 2 until a protection barrier acceptable to the Zoning Agent has been placed around the designated 36 inch maple tree. In conjunction with the filing of the final maps, notice of this condition shall be filed on the Land Records and referenced on the Lot 2 deed.
4. The final plans shall clearly label the Building Area Envelope for Lot 3 and revise the Sheet 1 map note to specify that there are no wetlands within 150 feet.
5. The Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety [90] or one hundred and eighty [180]-day filing extension has been granted):
 - A. All final maps, including submittal in digital format, a right-of-way deed along Puddin Lane, a utility easement for Lot 1 across Lot 2 and a Notice on the Land Records to address conditions 2 and 3, for recording on the Land Records (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Sec. 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;
 - B. All monumentation with Surveyor's Certificate shall be completed or bonded pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

MOTION PASSED with all in favor except Goodwin who disqualified herself.

2. **Zoning Permit Application for Storrs Center Parking Garage/Intermodal Center**
A 4/27/11 letter from Chairman Rudy Favretti was noted and discussion was held. By consensus of the Commission, Chairman Favretti was authorized to submit a letter on the Commission's behalf regarding traffic safety concerns at the proposed intersection south of the intermodal center.
3. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Item was tabled-awaiting information from applicant.
4. **Request to stop collecting bond escrow funds for Freedom Green Phase 4C**
Item was tabled-awaiting information from applicant.
5. **Special Permit Application, Proposed Veterinary Hospital, 266 Stafford Rd, W. Ernst-applicant/ Y. Desiato-owner, PZC File #1300**
Tabled pending 5/16/11 Public Hearing.
6. **3/30/11 Draft revisions to numerous sections of the Zoning Regulations, PZC File #907-35**
Tabled pending 5/16/11 Public Hearing.
7. **4/14/11 Draft revisions to the Zoning Regulations Re: Agricultural Uses, PZC File #907-36**
Tabled pending 5/16/11 Public Hearing.
8. **Request to review and revise Plan of Conservation and Development regarding Hunting Lodge Road area**
Tabled-referred to Regulatory Review Committee.
9. **Application to amend the Zoning Regulation to add Place of Assembly-Banquet Hall as a permitted use in the Neighborhood Business 2 Zone, M. Healy, applicant, PZC File #1301**
Tabled pending 6/6/11 Public Hearing.

New Business:

1. **8-24 Referral, 2011-12 Proposed Capital Improvement Budget**
Holt MOVED, Hall seconded, that the PZC approve, subject to the condition below, the proposed 2011-12 Capital Improvement Program.

Several items are land use-regulated and may require PZC and/or IWA approvals before implementation. The PZC respectfully requests that the departments involved with land use projects coordinate plans with the Director of Planning and Inland Wetlands Agent, and that the Commission/Agency be given adequate time to thoroughly review and act upon final plans for all projects that require PZC or IWA approval.
MOTION PASSED UNANIMOUSLY.
2. **New Site/Building Modification Request, Proposed gym/fitness center at 1768 Storrs Road**
Holt MOVED, Plante seconded, the PZC receive the Request For Site/Building Modifications submitted by Brooke Magouirk for a CrossFit gym at 1768 Storrs Road and refer it to staff for review and comment.
MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

Beal, as chairman of the Regulatory Review Committee, noted the next meeting is scheduled for 5/25/11 at 1:15 p.m. in Conference Room B.

Communications:

Communications listed on the agenda were noted.

Adjournment:

Chairman Favretti declared the meeting adjourned at 9:13 p.m.
Respectfully submitted,

Katherine Holt, Secretary